

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:08-CR-70
	)	(VARLAN/GUYTON)
EXGARDO ERAZO,	)	
	)	
Defendant.	)	

**ORDER**

This criminal case is before the Court for consideration of the Report and Recommendation entered by United States Magistrate H. Bruce Guyton on June 15, 2009. [Doc. 74.] There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(2). Magistrate Judge Guyton found that the circumstances of this case do not rise to the level of those cases that are extended or complex. Consequently, Magistrate Judge Guyton recommended that the Court deny the Motion of Defendant Exgardo Erazo to Declare Case Extended and Complex. [Doc. 53.]

The Court has carefully reviewed this matter, including the underlying pleadings. [See Docs. 53, 54, 64]. The Court is in agreement with Magistrate Judge Guyton's recommendation, which the Court hereby adopts and incorporates into its ruling. Accordingly, the Motion of Defendant Exgardo Erazo to Declare Case Extended and

Complex [Doc. 53] is hereby **DENIED**. The Court **ACCEPTS IN WHOLE** the Report and Recommendation. [Doc. 74.]

IT IS SO ORDERED.

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE